



No objection.
See attached comments.

E. McGuffigan, Jr. 5/10/00
Edward McGuffigan, Jr. (Date)

POLICY ISSUE

(NEGATIVE CONSENT)

May 5, 2000

SECY-00-0101

FOR: The Commissioners

FROM: William D. Travers
Executive Director for Operations

SUBJECT: PROPOSED AGREEMENT BETWEEN THE STATE OF OKLAHOMA
AND THE COMMISSION PURSUANT TO SECTION 274 OF THE
ATOMIC ENERGY ACT OF 1954, AS AMENDED

PURPOSE:

To inform the Commission of the staff's intent to publish the proposed Agreement requested by Oklahoma in the Federal Register (FR) for public comment.

SUMMARY:

By letter dated December 28, 1999 (Attachment 1), Governor Keating requested that the Commission enter into an Agreement with the State of Oklahoma under Section 274b of the Atomic Energy Act of 1954, as amended (Act). The Governor's letter also transmitted the State's proposed Agreement. Staff has completed a draft assessment of the State's proposal. As required by Section 274e of the Act, staff plans to publish the text of the proposed Agreement in the FR. The FR notice will include a summary of the staff's draft assessment of the proposed Oklahoma regulatory program for materials subject to the Agreement.

BACKGROUND:

Section 274b of the Act authorizes the Commission to enter into an agreement with the Governor of a State providing for the discontinuance of the regulatory authority of the Commission with respect to certain materials. Agreements signed between 1962 and 1974 specify in Article I three categories of material that are assumed by the State, i.e., byproduct material, source material and special nuclear material (SNM) in quantities not sufficient to form a critical mass. In some cases, subcategories within these broader material categories have been added to existing Agreements or created in new Agreements that have allowed States to enter into more specific Agreements tailored to States' needs (termed limited Agreements).

Contact: Patricia M. Larkins, STP
415-2309

Commissioner McGaffigan's Comments on SECY-00-0101

I have no objection to the staff's intent to publish the proposed Agreement requested by Oklahoma in the Federal Register for public comment. I commend the staff for the speedy processing of Oklahoma's request and suggest that this accomplishment be highlighted in the letters to the Congressional oversight committees and the press release.